

REMARKS

Claims 1-6, 11, 13-18, 20, 22, 24-28, 33, 35-39, 41, and 43 remain pending after the amendment.

The examiner rejected independent Claims 1 and 24, as well as all of their dependent claims, as being anticipated or obvious over Bennett (US Pat. 6,089,977).

Bennett describes a game where the occurrence of an ICEBERG symbol in a leftmost reel and a J/B symbol in the rightmost reel initiates a special feature. (Col. 3, lines 60-67.) The examiner equated the ICEBERG and J/B symbols to the claimed “special symbol” in Claims 1 and 24. The occurrence of these special symbols in the matrix of symbols causes a PENGUIN symbol to appear and waddle in a serpentine pattern from the top symbol on the leftmost reel through to the bottom symbol on the rightmost reel. At every position, the PENGUIN temporarily acts like a single wild card, and the player wins awards for each winning combination of symbols (taking into account the wild card) as the PENGUIN moves through the matrix.

The examiner indicated that, since the PENGUIN converts all the symbols **in sequence** to wild cards, all symbols to the left or right of a special symbol are at one time or another converted into the leftmost or rightmost symbol, as claimed in Claims 1 and 24.

However, the PENGUIN is only a wild card, which is significantly different from being the leftmost or rightmost symbol. Secondly, a reasonable interpretation of Claims 1 and 24 is that **all** the symbols between the special symbol and the leftmost (or rightmost) symbol are converted concurrently. Otherwise, Claims 1 and 24 make no sense as a benefit to the player.

To clarify that all the symbols to the left or to the right of the special symbol are all concurrently converted to the leftmost or rightmost symbol, the language “at the same time” has been added to Claims 1 and 24. This overcomes the rejection regarding the sequential conversion of all symbols to wild cards by Bennett’s PENGUIN.

The remaining independent claims are **Claims 11 and 33**. The examiner rejected Claims 11 and 33 as being obvious over O'Halloran (US Pat. 6,439,993).

O'Halloran teaches converting one or more symbols on **one** pay line to wild card symbols upon the occurrence of a triggering wild card symbol(@) on that same pay line. O'Halloran's intent was for symbols on only a single payline to be changed. The examiner indicated that it would be obvious for there to be any number of paylines going in every direction through the O'Halloran special symbol, even though O'Halloran only mentions three horizontal paylines. Since the special symbol would be a part of every payline, this may cause all symbols adjoining the special symbol to be converted to a special symbol (a wild symbol), as well as other symbols on all the paylines that pass through the special symbol.

Applicant respectfully submits that the examiner's proposed modification of the O'Halloran machine is neither motivated nor obvious, since O'Halloran only intended to change symbols on a single payline.

Although it is respectfully submitted that the previous Claims 11 and 33 would most reasonably be interpreted to **only** convert the symbols adjoining the special symbol, the present amendment adds the clarification "but not converting any symbols not adjoining said special symbol." Accordingly, Claims 11 and 33 overcome the rejection over O'Halloran, even given the examiner's proposed modification of O'Halloran.

Accordingly, allowance of all pending claims is respectfully requested.

Should the Examiner have any questions or wish to make the claims clearer, the Examiner is invited to call the undersigned at (408) 382-0480 x202.

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February 14, 2007
Date of Signature

Respectfully submitted,

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